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C O N F I D E N T I A L SECTION 01 OF 03 KYIV 002744

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SUBJECT: UKRAINE: RADA PREPARATIONS SLOWLY ADVANCING

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Classified By: Political Counselor Kent Logsdon for reasons 1.4(b,d).

11. (C) Summary. The process of preparing to seat the new Rada is moving forward slowly, while fissures in the orange coalition continue to appear even before it has officially become a coalition. As required by law, the Central Election Commission is now registering MPs and all five factions have named their representatives to the preparatory group that will set the date and prepare the agenda for the Rada opening; the preparatory group has not yet met, but should do so by November 6. Many representatives for Regions and Our Ukraine-People's Self Defense (OU-PSD) are personally loyal to PM Yanukovych and President Yushchenko, respectively, meaning the two leaders will have a lot of say in the process. In the meantime, at least three members of OU-PSD have so far refused to sign the preliminary coalition agreement, an issue that other OU-PSD leaders are downplaying in the press, but which underscores the continued reluctance of part of the pro-presidential bloc to support a Tymoshenko-led government. Perhaps seeking to capitalize on this continued uncertainty within the orange ranks, Prime Minister Yanukovych made a conciliatory speech at the October 31 Cabinet of Ministers meeting trying to emphasize his willingness to work with President Yushchenko.

12. (C) Comment. Although many interlocutors now give the orange coalition a better than even chance of being confirmed, the rumblings coming from OU-PSD suggest even if the coalition gets off the ground, it may be shortlived. Former OU-PSD MP Nataliya Prokopovych on November 1 became the latest of a long line of politicians and analysts to predict that Tymoshenko wants the premiership now, but will be looking for a way out of the orange coalition by fall 2008 at the latest. According to this argument, Tymoshenko's best strategy for winning the 2009/2010 presidential election would be to go into opposition, claiming Yushchenko blocked her efforts to fulfill campaign promises and improve the lives of average Ukrainians. Yanukovych's speech suggests that he is looking to capitalize on this tension within the orange camp by offering himself up as a more reliable partner for Yushchenko. End summary and comment.

Preparatory Group Formed, Waiting to Work

13. (SBU) With OU-PSD's late October 30 announcement of the names of its five members in the Rada preparatory group, the group is now complete and can get to work. This group will set the date for the Rada's opening, put together the agenda for the opening day, agree on the list of Rada committees, and establish the temporary presidium that will chair Rada sessions until a Speaker is elected. However, under Rada rules, the Speaker from the previous Rada, or his deputy, should convene the group within ten days after promulgation

of the official election results -- or by November 6 -- but former Speaker Moroz has not done so and, according to his spokesman, is currently ill. If neither Moroz nor his deputy from the previous Rada, Communist deputy Martynyuk, calls the preparatory group together by November 6, then the group can convene itself. BYuT MP Iosip Vinskiy claimed Moroz was delaying the work of the preparatory group and therefore the Rada. A second BYuT MP, Mykola Tomenko, told the press that another reason for the delay was that the CEC was slow to register MPs and the group could not convene until all its members are registered. He thought the group could start its work on November 5 or 6 and the Rada could hold its opening session November 20.

14. (C) Rada rules state that the composition of the group is dependent on faction sizes, with each faction entitled to 1 representative to the group for every 15 faction members. This means that Regions should have 12, BYuT 10, OU-PSD 5, Communists 2, and Lytvyn Bloc 1. Strangely, Regions has not publicly announced its full list, although MP Olena Bondarenko told us that there will be 12 Regions MPs there. So far, we have heard that members include Yanukovych, First Deputy PM Mykola Azarov, DPM Andriy Klyuyev, DPM Volodymyr Rybak, PM Chief of Staff Serhiy Lyovochkin, PM speechwriter Hanna Herman, Akhmetov ally Borys Kolesnikov, faction head Raisa Bohatyreva, and the PM's former personal lawyer Olena Lukash. It is interesting that of the nine names publicly released, most are close to Yanukovych personally, with only Kolesnikov and maybe Bohatyreva from the Akhmetov wing of the party.

15. (SBU) BYuT's 10 members are: Tymoshenko, Oleksandr Turchynov, Vinskiy, Tomenko, Viktor Pynzenyk, Yevhen Kornichuk, Serhiy Sas, Petro Krupko, Vsyevolod Borodin and Yehven Kyrylchuk. The first six are all members of BYuT's presidium. Krupko was the deputy head of the BYuT campaign headquarters this year, as well as Minister of the Cabinet of

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Ministers in the 2005 Tymoshenko government. OU-PSD named bloc leader Yuriy Lutsenko, faction leader Vyacheslav Kyrylenko, Borys Tarasyuk, Roman Zvarych, and Ruslan Knyazevych to the preparatory group. Zvarych's presence in particular suggests that Yushchenko will have a say in OU-PSD's position in the group. The Lytvyn Bloc put forward as their representative Ihor Sharov, a Pinchuk ally who ran the Lytvyn Bloc's campaign.

Reluctance of OU-PSD for Orange Coalition

16. (C) There has been ongoing discussion in the media this week that some members of OU-PSD had not yet signed the coalition agreement with BYuT. Zvarych and Oleksandr Tretyakov acknowledged on November 1 that it was true, but tried to calm speculation that this was a sign of internal discontent. It is not clear how many signatures are missing; the latest press reports said three -- those of NSDC Secretary Ivan Plyushch, Ihor Kryl, and Mukachave mayor and

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Presidential Chief of Staff Baloha relative Vasily Petyovka -- although there have also been reports that National Bank Chairman Volodymyr Stelmakh and Foreign Minister Yatsenyuk (who appears to be legitimately ill given that he missed the Swedish FM's visit this week) had not signed. Tretyakov told the press that President Yushchenko had asked all bloc members to sign the agreement and said that he believed this will happen soon. Zvarych said that those who had not yet signed, were delaying for "ethical reasons". They promised to publish a list of all who had signed the agreement once all the necessary signatures had been obtained. (Note. This coalition agreement is only preliminary because no formal agreement can be signed until the Rada is seated and factions formed, meaning that the demand for all OU-PSD MPs to sign the agreement now is more a show of faith than a legal

necessity. However, having the document fully signed ahead of the Rada opening will allow Tymoshenko to get the coalition registered much faster. End note.)

¶7. (C) Nataliya Prokopovych, an outgoing MP from OU-PSD who has close ties to Yuriy Yekhanurov, told the Ambassador on November 1 that despite all the internal discussions, when the time came to sign the formal coalition agreement and vote for the Prime Minister, OU-PSD would all be on one page. The party leadership had already agreed that it would expel any MP who broke party discipline from the Rada. (Note. There could be some legal difficulties in expelling MPs. Even Prokopovych acknowledged that a deputy might go to court to fight the expulsion. End note.) Now Lutsenko and Kyrylenko, and to a lesser degree Yushchenko, were holding individual meetings with all the members to discuss faction discipline and coalitions. However, she added that she thought the orange government would collapse within a year because by the second half of 2008 Tymoshenko would be looking for a way to return to the opposition ahead of the presidential election. Prokopovych thought Tymoshenko's strategy would be to claim that Yushchenko and OU-PSD had constrained her, preventing her from fulfilling all of her 2007 campaign promises. (Note. This is a scenario we have heard from politicians and analysts of all stripes. End note.)

PM Makes Conciliatory Speech in Bid for Broad Coalition

¶8. (SBU) Yanukovych made a speech at the opening of the October 31 Cabinet meeting that garnered a great deal of press attention. In his 30-minute opening address in front of the cameras, the PM underscored how well his team works with the President and emphasized that the two share policy goals. (Embassy note. The PM made the same points privately to us during his meetings with former Secretary Powell and Ambassador Holbrooke. End note). The PM talked about the importance of cooperation among all branches of government for the sake of reaching national goals. On several occasions he stressed that he supported the President's position, which he said was crucial for good relations between the government and parliament. He also criticized those who are "dizzy with success and claim they have won" as harming the country's interests, a clear dig at Tymoshenko.

¶9. (C) Comment. The speech seems to be a conciliatory gesture aimed at reassuring Yushchenko, and perhaps a wider audience, that a broad coalition is a reasonable option. In doing so, he tried to show that he and Yushchenko were on the same page while Tymoshenko only cared about winning elections. Similar conciliatory comments have been made other members of the Yanukovych government in the past week, such as DPM Kuzmuk's statement of support for the OU-PSD position on conscription, one of the most divisive issues between BYUT and OU-PSD. End comment.

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¶10. (U) Visit Embassy Kyiv's classified website:
www.state.sgov.gov/p/eur/kyiv.
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